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SUBJECT: OSCE: HDIM ELECTION ISSUES

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¶11. (U) Summary. Election issues were the focus of three early events at this year's Human Dimension Implementation Meeting (HDIM) in Warsaw. During the first HDIM Working Session, the clear fault line that separates most NGOs and participating States, including the United States, from Russia and Belarus re-emerged on OSCE election activities. While all NATO and EU members and NGOs defended existing OSCE election commitments, observation and assessment methodology and assistance, Russia and Belarus repeated their standard accusations of double-standards and lack of transparency. During this session, a U.S. NGO attacked the United States on the issue of District of Columbia voting rights. A side event organized by ODIHR's Election Section showcased the activities of domestic, non-partisan observer groups. A UK side event involved a presentation of London's constructive response to the findings of the ODIHR Election Assessment Mission (EAM) that observed the UK's May general election. Ukrainian and Kyrgyz NGOs blasted CIS election observation in both the first Working Session and side event on domestic observation. End Summary.

Working Session One

¶12. (U) Though the session was officially on democratic institutions writ large, the statements by roughly 30 governments and NGOs focused overwhelmingly on election issues. Head of ODIHR Election Section Gerald Mitchell opened with an overview of ODIHR's previous year election-related activities. Worth noting is that CIS election officials visited ODIHR's Election Section in November 2004. ODIHR reciprocated in June 2005. The African Union also sent a delegation to ODIHR in July **¶12005**. Mitchell said ODIHR will continue efforts to enhance follow-up to its post-election recommendations, but stressed that states themselves must lead in this area. He noted that invitations to ODIHR for follow-up visits are one example of how states can live up to their commitment for post-election cooperation with ODIHR. (Note: ODIHR officials have told USOSCE on a number of occasions that the U.S. invitations to the OSCE to conduct a follow-up visit after the 2004 U.S. general election are an important precedent to convince other countries to do so as well.)

¶13. (U) Timothy Cooper, Executive Director of the Washington-based NGO Worldrights, blasted the USG on the issue of DC voting rights. He termed DC residents "subjects of an all-powerful State" and Washington "one of the world's most undemocratic cities." He noted that the OSCE Election Observer Mission (EOM) deployed for the 2004 US general election found that the U.S. should look to provide equal voter rights for DC citizens. He also drew attention to the July 2005 OSCE Parliamentary Assembly resolution calling on Congress to address this issue. He stated that Worldrights has turned to the OSCE because the USG refuses to take action. Cooper recommended that OSCE participating States pressure the United States in the Permanent Council and that the Ministerial Council adopt a decision on DC voting rights.

¶14. (U) Vice Chair of the US Election Assistance Commission Paul DeGregorio, speaking on behalf of the United States, emphasized USG confidence in OSCE election work. He highlighted that the USG has welcomed OSCE observation in the United States and appreciates its recommendations. He shared that ODIHR has accepted the USG's invitation to conduct a follow-up visit and that we hope to receive an ODIHR delegation later this year. DeGregorio outlined the USG position on specific elections in the OSCE region so far this year and the Azerbaijan and Kazakhstan ballots coming up. He welcomed improvement in Albania and Kyrgyzstan, but called for continuing efforts at reform and cooperation with OSCE. (Note: Full text of U.S. statement available from USOSCE.)

¶15. (U) Many speakers reviewed electoral issues and

problems in specific countries. The International Helsinki Federation, the Macedonian NGO MOST, the Serbian Center for Free Elections and Democracy (CeSID), Albanian and Moldovan Helsinki Committees, a Turkmen youth NGO and others expressed varying degrees of criticism of ODIHR; called for international engagement; and sometimes made concrete recommendations. A Russian NGO expressed concern about the recent restrictions placed on the rights of domestic observer groups in that country. Albania and Macedonia pledged to continue to improve their electoral systems in cooperation with the OSCE.

16. (U) The U.S., EU, Germany, Norway, Albania, Macedonia and Slovakia all defended OSCE election observation and assistance. Switzerland expressed frustration that, despite extended discussion, the OSCE has not yet produced a package of new election commitments (commonly referred to as Copenhagen Plus). Slovakia was particularly clear in favor of preserving ODIHR autonomy, ensuring that any consideration of Copenhagen Plus does not undermine existing election commitments and placing primary responsibility on the relevant states themselves to address their under-representation in OSCE election missions by seconding observers. Switzerland and Norway emphasized the need for more systematic follow-up to ODIHR recommendations. They both proposed a process by which participating States would formally explain in the Permanent Council how they plan to respond to ODIHR reports.

17. (U) The Committee of Voters of Ukraine (on behalf of the Ukrainian NGO Coalition "Clean Elections") and the Kyrgyz Coalition for Democracy and Civil Society challenged non-OSCE election observation organizations, including the CIS, to be more transparent. They demanded that such groups publish methodologies; provide the makeup of their delegations; explain their financing; share geographic deployment plans; etc. A Kyrgyz NGO urged its Government to end participation in CIS election observation.

18. (U) Russia and Belarus were the sole critics of OSCE election work, mostly repeating well-worn contentions. Russia argued that the OSCE needed to improve its criteria for assessing elections and devise a methodology that would preclude application of "double-standards." Trying to sound constructive, Russia stated that election observation should serve to assess progress; encourage states; and offer assistance so that democracy is improved. How the OSCE announces its findings should be reconsidered and geographic diversity of election observers enhanced. Russia supports the Chair's efforts to follow-up on the election discussion in OSCE as outlined in its July letter to ODIHR (Ref A).

19. (SBU) Belarus argued that certain participating States want to continue to use OSCE election observation "for their own ends." Existing OSCE election commitments are "general." More detailed standards are needed to put observation on "firmer footing." A comparative analysis of the election systems of the participating States would be a good basis for developing those standards. In light of the increasing application of new technologies, isn't ODIHR methodology "archaic?" Belarus stated that the focus of OSCE observation should be on making recommendations for improvement. It would therefore make more sense for the OSCE to send small expert teams as its standard observation tool, rather than the current larger EOMs it most typically deploys. Traditional OSCE EOMs should only be organized when a participating State requests one. (Note: This proposal is Belarus' latest, if transparent, suggestion designed to subvert OSCE election work.)

Side Event on Domestic Observation

110. (U) Mitchell introduced the side event on "15 Years of Domestic Observation in the OSCE Region" by highlighting the steady growth of domestic non-partisan observer groups since their rights were first acknowledged in the 1990 Copenhagen Document. He commented on ODIHR's extra-budgetary project to build the capacity of such groups, which allows ODIHR to bring domestic observer groups and ODIHR together to exchange experiences; allowed the publication by ODIHR of a handbook on guidelines for domestic, non-partisan observation; and enables the participation of such groups in relevant OSCE conferences, like the HDIM. Mitchell indicated that ODIHR would continue to monitor the treatment of domestic observers as part of its activities and wants to investigate ways in which ODIHR might be able to help build such groups capacity for

post-election follow-up.

¶11. (U) The four panelists were Edil Baisalov of the Kyrgyz Coalition for Democracy and Civil Society; Enira Bronitskaya of the Belarusian Civil Initiative "Partnership;" Lilia Shibanova of the Russian Association of Non-profit Organizations in Defense of Voters' Rights - VOICE; and a representative of the Croatian GONG organization. All four reviewed the election-related and other civic activities of their organizations as well as challenges specific to their countries. The particularly well-spoken Baisalov also attacked the "hypocrisy" of CIS election observation missions, which he termed "low-level acting." He noted that the CIS claims its methodology is based on the OSCE's, but then trashed the OSCE's approach. He commented on the lack of transparency in CIS election observation and the fact that the vast majority of CIS observers come from one particular country (i.e., Russia). He reiterated his NGO's call to the Kyrgyz Government not to participate in CIS election observation.

UK Side Event

¶12. (U) The Foreign Office-organized side event, which a UK diplomat told USOSCE was directly copied from the U.S. side event at the April Supplementary Human Dimension Meeting on elections (Ref B), demonstrated the UK's commitment to leading by example in the area of follow-up to ODIHR recommendations. Representatives of the Department of Constitutional Affairs, Electoral Commission and Manchester City Council provided overviews of the various actors in the UK system. The Constitutional Affairs Department and Electoral Commission had each produced point-by-point responses to the findings of the ODIHR EAM that deployed for the May UK general election. Panelist and ODIHR Election Adviser Vadim Zhdanovich, who served on the EAM, complimented the UK's example of post-election cooperation with ODIHR. UK officials explained that the restrictions on international and domestic observer access to parts of the electoral process should be eliminated in a general election reform bill before Parliament. (Note: If the UK does lift the restrictions on observers in order to come into compliance with its OSCE commitments, this will further highlight the continuing problems of observer access in the United States.)

Comment

¶13. (SBU) On elections, the HDIM served its purpose admirably of allowing NGOs and states to hold governments accountable to their human dimension commitments. The valid NGO criticism of CIS election activities expressed the view of probably all NATO and EU members, which have so far refrained from embarrassing Russia on this issue at the PC. Mitchell's highlighting of the value of follow-up invitations shows the importance of the U.S. continuing to lead by example when it comes to cooperation with ODIHR. The professionalism and dedication of the domestic observer groups at the ODIHR side event should also encourage the USG to continue to support ODIHR's extra-budgetary project on capacity-building for them.

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